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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/592,211	06/10/2000	David T. Griffiths	254/157	4801

23639 7590 08/01/2005
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EXAMINER

NGUYEN BA, PAUL H

ART UNIT PAPER NUMBER

2176

DATE MAILED: 08/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

87

Office Action Summary

Application No.

09/592,211

Applicant(s)

GRIFFITHS ET AL.

Examiner

Paul Nguyen-Ba

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/20/2004 has been entered.
2. Claims 1-23 are pending. Claims 1, 11, and 14 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft Visual Basic 5.0 Programmer's Guide, 1997, pgs. 5-9, 41, 546-48, 557-58, 575, Redmond, Washington 98052-6399 ("Basic"), in view of Microsoft Word 2000, © 1983-1999 Microsoft Corporation ("Word"), in further view of Kleinman, U.S. Patent No. 4,974,174.

Independent Claim 1

Basic discloses *a method of aligning items within an electronic document, each item having a relative tab indication, the method comprising the step of:*

a. determining the relative tab indication of the first item (see Basic, under heading:

Understanding the Coordinate System, pgs. 557-58 → each object has a coordinate position);

b. positioning the first item within the document (see Basic, under heading: Displaying

Print Output at a Specific Location, pg 547 → display of text on a form or picture box at a specific location); *and,*

c. for each further item:

i. determining the relative tab indication of the item (see Basic, under heading:

Understanding the Coordinate System, pgs. 557-58 → each object has a coordinate position);

ii. positioning the item within the document in accordance with the relative tab

indication (see Basic, under heading: Displaying Print Output at a Specific

Location, pg 547 → display of text on a form or picture box at a specific location).

Basic does not specifically disclose determining a relative tab stops associated with the first and further items. However, Word teaches the use of tab stops - including assigning a default tab stop position or manually assigning tab stop positions (see pgs. 1-8) for the purpose of aligning items in an electronic document..

Art Unit: 2176

Since Basic and Word are both from the same field of endeavor, the purpose disclosed by Word would have been recognized in the pertinent art of Basic. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use tab stops as a representation of an X-Y coordinate system for the motivational purpose of aligning items in an electronic document.

Basic, in view of Word, do not specifically disclose positioning the item within the document in accordance with *the position of each previously positioned item associated with the same relative tab stop as the further item.*

Kleinman discloses a method of displaying multiple objects on a display terminal wherein each of the objects is positioned by reference to a previous object (see Kleinman column 2, lines 61-64) for the purpose of retaining the same relative aligning positions for graphic and textual objects, although the absolute positions of the objects may have changed (see Kleinman column 6, lines 60-65).

Since Basic, in view of Word, and Kleinman are all from the same field of endeavor, the purpose disclosed by Kleinman would have been recognized in the pertinent art of Basic. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to position subsequent items in relation to their relative tab stops, as well as, in relation to the previously positioned items for the motivational purpose of retaining the same relative aligning tab stops for graphic and textual objects, although the absolute positions of the objects may have changed.

Claim 2

Basic, in view of Word, further discloses *a method wherein any items with a relative tab stop greater than the tab stop of a previously positioned item are displaced from the previous item in a first direction* (see Basic, under heading: Displaying Print Output at a Specific Location, pgs. 547-48 → assigning higher x-coordinate value to current object displaces previous item in the first direction).

Claim 3

Basic, in view of Word, discloses *a method of aligning items within an electronic document* incorporating the limitations of claim 1, but does not specifically disclose *a method wherein an item with no tab stop is displaced from the previous item in the first direction*.

Kleinman discloses a method of displaying multiple objects on a display terminal wherein each of the subsequent items (e.g. alignment point on the top left side) are positioned to the right of the previous item by reference to the previous object's alignment point (located on top right side) (see Kleinman Figure 4; column 5, lines 7-12) for the purpose of relatively aligning the items positions (see Kleinman column 6, lines 60-65).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine relative tab positioning with alignment points located on each object for the purposes of relatively positioning an item with no tab *stop* to the right of the previous item.

Claim 4

Basic, in view of Word, further discloses *a method wherein any items having a relative tab stop less than the relative tab stop of a previously positioned item are displaced from the previous item in a second direction opposite to the first direction* (see Basic, under heading: Displaying Print Output at a Specific Location, pgs. 547-48 → assigning lower x-coordinate value to current object displaces previous item in the second direction).

Claim 5

Basic, in view of Word, further discloses *a method wherein any items having a relative tab stop less than the relative tab stop of the previously positioned item are displaced from the previously positioned item in a third direction perpendicular to the first direction* (see Basic, under heading: Displaying Print Output at a Specific Location, pgs. 547-48 → assigning lower x-coordinate, and higher y-coordinate value to current object displaces previous item in the third direction perpendicular to the first direction).

Claim 6

Basic, in view of Word, further discloses *a method wherein any items having a relative tab stop equal to or greater than the relative tab stop of previously positioned items are aligned with the previously positioned items in the first direction* (see Basic, under heading: Displaying Print Output at a Specific Location, pgs. 547-48 → assigning an equal x-coordinate, and higher y-coordinate value to the current object aligns it with the previously positioned items in the first direction).

Claim 7

Basic, in view of Word, discloses *a method of aligning items within an electronic document wherein each item has a predetermined size* (see Basic, Figure 3.1 on pg. 41 → [object].height or [object].diameter) incorporating the limitations of claim 1, but does not specifically disclose a method of *positioning each item so as to ensure that a predetermined distance exists between items in the first direction*.

Kleinman discloses a method of displaying multiple objects on a display terminal wherein each of the objects is positioned by reference to a previous object (see Kleinman column 2, lines 61-64) for the purpose of retaining the same relative predetermined distance for graphic and textual objects, although the absolute positions of the objects may have changed (see Kleinman column 6, lines 60-65).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to ensure that a predetermined distance existed between the items by assigning alignment points to each item for the purposes of retaining the same relative predetermined distance for graphic and textual objects, although the absolute positions of the objects may have changed.

Claim 8

Basic, in view of Word, further discloses *a method wherein each relative tab stop includes at least one of first and second relative tab values, each relative tab value representing the relative tab position of a specific portion of the item* (see Basic, under heading: Moving a

Art Unit: 2176

Line Control, pg. 575 → X1: x-coordinate of start of a line; Y1: y-coordinate of start of a line;
X2: x-coordinate of end of line; Y2: y-coordinate of end of line).

Claim 9

Basic, in view of Word, further discloses *a method wherein the first and second relative tab values are start and stop tab values indicating the relative position of the start and end of the item within the document* (see Basic, under heading: Moving a Line Control, pg. 575 → X1: x-coordinate of start of a line; Y1: y-coordinate of start of a line; X2: x-coordinate of end of line; Y2: y-coordinate of end of line).

Claim 10

Basic, in view of Word, discloses *a method of aligning items within an electronic document* incorporating the limitations of claim 1, but does not specifically disclose *a method wherein the items are positioned in the first direction in accordance with the relative tab stop, and wherein the method comprises the relative positioning of the tab stop values to maintain at least a minimum separation between the items.*

Kleinman discloses a method of displaying multiple objects on a display terminal wherein each of the objects is positioned by reference to a previous object (see Kleinman column 2, lines 61-64) for the purpose of retaining the same relative aligning positions for graphic and textual objects maintaining at least a minimum separation between the items, although the absolute positions of the objects may have changed (see Kleinman column 6, lines 60-65).

Art Unit: 2176

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to position subsequent items in relation to their relative tab *stops*, as well as, in relation to the previously positioned items for the purposes of retaining the same relative aligning positions for graphic and textual objects maintaining at least a minimum separation between the items, although the absolute positions of the objects may have changed.

Independent Claim 11

Basic, in view of Word, in further view of Kleinman disclose *an apparatus for aligning items within a document, including a display for displaying the document; and, a processor adapted to perform the limitations of claim 1 (see Basic, under heading: Hardware and System Requirements, pg. 7; see Kleinman column 1, lines 9-12). Claim 11 incorporates substantially similar subject matter as claim 1, and is rejected along the same rationale.*

Claim 12

Basic, in view of Word, further discloses *an apparatus comprising a store for storing the relative tab stops of each of the items to be positioned, the processor being adapted to operate with the store to obtain the relative tab stops therefrom (see Basic, under heading: Hardware and System Requirements, pg. 7).*

Claim 13

Basic, in view of Word, further discloses *an apparatus further comprising an input device, the input device being adapted to cooperate with the processor to allow the user to enter*

Art Unit: 2176

tab stop values for each item to be defined (see Basic, under heading: Hardware and System Requirements, pg. 7).

Independent Claim 14

Basic, in view of Word, in further view of Kleinman discloses *a computer program product that includes a computer-usable medium having a sequence of instructions which, when executed by a processor, causes the processor to execute a process for aligning items within an electronic document, each item having a relative tab stop* (see Basic, pg. 5-9 → Visual Basic 5.0 program), *the process comprising* the limitations of claim 1. Claim 14 incorporates substantially similar subject matter as claim 1, and is rejected along the same rationale.

Claim 15

Claim 15 incorporates substantially similar subject matter as claim 2, and is rejected along the same rationale.

Claim 16

Claim 16 incorporates substantially similar subject matter as claim 3, and is rejected along the same rationale.

Claim 17

Claim 17 incorporates substantially similar subject matter as claim 4, and is rejected along the same rationale.

Claim 18

Claim 18 incorporates substantially similar subject matter as claim 5, and is rejected along the same rationale.

Claim 19

Claim 19 incorporates substantially similar subject matter as claim 6, and is rejected along the same rationale.

Claim 20

Claim 20 incorporates substantially similar subject matter as claim 7, and is rejected along the same rationale.

Claim 21

Claim 21 incorporates substantially similar subject matter as claim 8, and is rejected along the same rationale.

Claim 22

Claim 22 incorporates substantially similar subject matter as claim 9, and is rejected along the same rationale.

Claim 23

Claim 23 incorporates substantially similar subject matter as claim 10, and is rejected along the same rationale.

Response to Arguments

5. Applicant's arguments with respect to claims filed on 7/20/2004 have been considered but are moot in view of the new ground(s) of rejection.

The new grounds of rejection include the addition of the Word reference, which is being relied upon for teaching the newly added limitation, "relative tab stop associated...".

Applicant's arguments focus on the prior art's failure to teach this particular limitation. It is the Examiner's opinion that one of ordinary skill in that art would be motivated to arrive at the instant invention by combining Basic, Word, and Kleinman.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Nguyen-Ba whose telephone number is (571) 272-4094.

The examiner can normally be reached on 11 am - 7 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2176

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PNB

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
6/24/2005